



*2117*  
**PATENT**

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Douglas J. Hilton et al. **Group:** 1643  
**Serial No.:** 08/962,560 **Docket:** 10976  
**Filed:** October 31, 1997 **Dated:** July 13, 1998  
**For:** THERAPEUTIC AND  
DIAGNOSTIC AGENTS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention: Box Missing Parts

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION,  
RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR  
AMINO ACID SEQUENCE DISCLOSURES AND SUBMISSION OF SEQUENCE LISTING**

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted, dated March 11, 1998, and the Notice to Comply With Requirements for Patent Applications Containing

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on July 13, 1998.

Dated: July 13, 1998

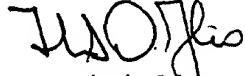
*FDG*  
\_\_\_\_\_  
Frank S. DiGiglio

Nucleotide Sequence and/or Amino Acid Sequence Disclosures attached thereto, Applicants herewith submit a substitute paper and an initial computer readable copy of the Sequence Listing in connection with the above-identified application, along with a Verification Under 37 C.F.R. § 1.821(f) and a Preliminary Amendment substituting the attached Sequence Listing for the Sequence Listing of record.

Applicants are also submitting a copy of the Notice to File Missing Parts and a copy of the Notice to Comply With Requirements for Patent Applications.

It is respectfully pointed out that the Declaration and Power of Attorney for Patent Application and the official surcharge in this regard were filed on April 23, 1998.

Respectfully submitted,

  
Frank S. DiGilio  
Registration No. 31,346

SCULLY, SCOTT, MURPHY & PRESSER  
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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO/TITLE
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08/962,560 10/31/97 HILTON

D 10976

0232/0311  
SCULLY SCOTT MURPHY & PRESSER  
LEOPOLD PRESSER  
400 GARDEN CITY PLAZA  
GARDEN CITY NY 11530



NOT ASSIGNED

1643

DATE MAILED:

03/11/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
***Filing Date Granted***

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

*If all required items on this form are filed within the period set above, the total amount owed by applicant as a*  
 *small entity (statement filed)*  *non-small entity is \$ 130.*

1. The statutory basic filing fee is:

missing.  
 insufficient.

*Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*

2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

*Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.*

3. The oath or declaration:

is missing or unexecuted.  
 does not cover the newly submitted items.  
 does not identify the application to which it applies.  
 does not include the city and state or foreign country of applicant's residence.

*An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.*

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

*An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.*

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application does not comply with the Sequence Rules.

*See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."*

9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

***A copy of this notice MUST be returned with the reply.***

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY